

BENNETT JONES

RECEIVED  
CENTRAL FAX CENTER

DEC 30 2005

FAX MESSAGE

USPTO - General Fax Number  
1213 Jefferson Davis Highway  
3rd Floor  
Arlington, VA 22202  
USA

Bennett Jones LLP  
4500 Bankers Hall East  
855 - 2nd Street S.W.  
Calgary Alberta  
T2P 4K7

Tel 403.298.3661  
Fax 403.265.7219

FAX NO. 1 (571) 273-8300

PHONE NO.

DATE December 30, 2005

This is the first page of 8

FROM Roseann Caldwell

LAWYER NO 472 FILE NO 32361-265

Original Status - Retained on File

If all pages not received, call 403.298.3234 for assistance.

This facsimile was successfully transmitted at:

MESSAGE

USSN 10/526,360 - Bruno H. Walter et al

Response to Notification of Missing Requirements

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

CALGARY • EDMONTON • TORONTO

**RECEIVED  
CENTRAL FAX CENTER**

DEC 30 2005

Docket 32361-265

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re:  
Applicant: WALTER, Bruno, H. *et al* Group Art Unit: Not Yet Known  
Serial No.: 10/526,360 Examiner: Not Yet Known  
Filed: September 5, 2003  
For: "EXPANDABLE BIT"

Honourable Commissioner of Patents  
and Trademarks,  
Randolph Building, 401 Dulany Street,  
Alexandria, VA 22314  
U.S.A.

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US)**

Applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for responding to the Response to Notification of Missing Requirements dated September 30, 2005 for a period of one month from November 30, 2005 until December 30, 2005 so that completion requirements can be filed.

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) dated September 30, 2005, please find enclosed:

1. A copy of the Notice dated September 30, 2005.
2. A Declaration in compliance with 37 CFR 1.497(a) and (b) properly signed by the inventor and identifying the application by the Application Number and Filing Date.

3. Please charge TWO HUNDRED AND FIFTY DOLLARS (\$250.00) for payment of the surcharge (\$130.00) and one month's extension fee (\$120.00) to our American Express credit card on file. Enclosed is the Credit Card Payment Form. The Commissioner is also hereby authorized to charge any additional fees which may be required, or credit any overpayment to our American Express credit card as noted on the Credit Card Payment form.

Favorable consideration is respectfully requested.

Respectfully submitted,

Roseann B. Caldwell, Reg. No. 37,077

BENNETT JONES LLP  
4500 Bankers Hall East  
855 - 2<sup>nd</sup> Street SW  
Calgary, Alberta  
CANADA T2P 4K7  
(403) 298-3661

Date: December 30, 2005

01/05/2006 GREY1 00000139 10526360

01 FC:1617	130.00 CP
02 FC:1251	120.00 OP

Rec'd PCT/PTO 30 DEC 2005

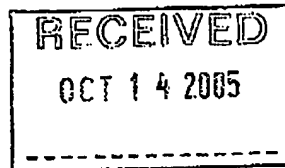


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,360	Bruno H Walter	32361-265

Roseann B Caldwell  
 Bennett Jones  
 4500 Bankers Hall East  
 855 2nd Street S W  
 Calgary Alberta Canada T2P 4K7,  
 CANADA



INTERNATIONAL APPLICATION NO.	
PCT/CA03/01305	
I.A. FILING DATE	PRIORITY DATE
09/05/2003	09/06/2002

CONFIRMATION NO. 8956  
 371 FORMALITIES LETTER



Date Mailed: 09/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/02/2005
- Copy of the International Search Report filed on 03/02/2005
- Preliminary Amendments filed on 03/02/2005
- Information Disclosure Statements filed on 03/02/2005
- U.S. Basic National Fees filed on 03/02/2005
- Priority Documents filed on 03/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

DOCKETED

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,360	PCT/CA03/01305	32361-265

FORM PCT/DO/EO/905 (371 Formalities Notice)